

REGULAR COUNCIL MEETING JULY 10, 2012

The regular meeting of the Council of the Town of Altavista was held in the Council Chambers of the J.R. Burgess Municipal Building, 510 Seventh Street on July 10, 2012 at 7:00 p.m.

1. Mayor Rudy Burgess called the meeting to order and presided.
2. Pastor Kelsey Brown, Altavista Presbyterian Church, gave the invocation.

Council members
present:

Mr. J.R. Burgess
Mr. Ronald Coleman
Mrs. Beverley Dalton
Mr. Charles Edwards
Mr. Bill Ferguson
Mr. Jay Higginbotham
Mr. Michael Mattox

Also present:

Mr. J. Waverly Coggsdale, III, Town Manager
Mr. Dan Witt, Assistant Town Manager
Mrs. Tobie Shelton, Finance Director
Chief Clay Hamilton, Police Department
Deputy Chief Kenneth Walsh, Police Department
Mr. John Eller, Town Attorney
Mr. John Tomlin, Public Works Director
Mr. Steve Bond, Wastewater Plant Director
Mrs. Mary Hall, Administration

3. Mayor Burgess asked if there were any questions regarding the minutes of the June 12, 2012 Work Session and minutes of the June 12, 2012 Regular Council meeting.

A motion was made by Mrs. Dalton, seconded by Mr. Ferguson that the minutes of the June 12, 2012 Work Session and minutes of the June 12, 2012 Regular Council meeting be approved as presented.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

4. Review of Invoices
5. Financial Statements
6. Public Comment

Mayor Burgess asked if anyone not on the agenda would like to speak. No one came forward.

7. Special Items or Recognitions
8. Public Hearings

- a. Section 74-310 & 311 "Prohibited Trucks-Lynch Mill Road"—Postponed

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b. Section 22-43 “BPOL Tax Filing Deadline”

Mr. Coggsdale advised the Finance Committee has discussed the possibility of amending the due date for Business, Professional and Occupation License filings and tax payments. The existing deadline is March 1st, which can provide a hardship on businesses to get their paperwork submitted in order to file during the busy “tax season”. The State Code allows for the filing deadline to be as late as May 1st; accordingly, the Finance Committee has recommended the ordinance amendment be considered for adoption.

Mayor Burgess opened the public hearing at 7:03 p.m. and asked if anyone would like to comment. No one came forward. Mayor Burgess closed the public hearing at 7:04 p.m.

A motion was made by Mr. Coleman, seconded by Mrs. Dalton, to adopt the proposed changes to Section 22-43 of the Town Code in regard to the BPOL tax filing and payment deadline being changed from March 1st to May 1st.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

An Ordinance to repeal, amend and re-ordain Section 22-43 of the Code of the Town of Altavista, 1968, relating to requirements; filing and payment of tax.

Be it ordained by the Town Council of the Town of Altavista:

1. That Section 22-43 of the Code of the Town of Altavista, 1968, be repealed, amended and re-ordained as follows:

Sec. 22-43. Requirements; filing and payment of tax.

(a) *Application.* Every person engaging in the town in any business, trade, profession, occupation or calling (collectively in this article "a business") as defined in this article, unless otherwise exempted by law, shall apply annually for and obtain a license for each such business if:

- (1) Such person maintains a definite place of business in the town;
- (2) Such person does not maintain a definite place of business anywhere but resides in the town; or
- (3) There is no definite place of business in the town, but such person operates amusement machines, is engaged as a peddler or itinerant merchant, or operates a carnival or circus as specified in Code of Virginia, §§ 58.1-3717, 58.1-3718, or 58.1-3728, respectively, or is a contractor subject to Code of Virginia, § 58.1-3715, or is a public service corporation subject to Code of Virginia, § 58.1-3731.

A separate license shall be required for each definite place of business and for each business. A person engaged in two or more businesses or professions carried on at the same place of business may elect to obtain one license for all such businesses and professions if all of the following criteria are satisfied:

- a. Each business or profession is subject to licensure at the location and has satisfied any requirements imposed by state law or other provisions of the ordinances of the town;
- b. All of the businesses or professions are subject to the same tax rate, or, if subject to different tax rates, the licensee agrees to be taxed on all businesses and professions at the highest rate; and
- c. The taxpayer agrees to supply such information as the assessor may require concerning the nature of the several businesses and their gross receipts.

The license application shall be on forms prescribed by the assessing official and shall require information as to the applicant's gross receipts and such other information deemed necessary by the assessing official to determine the correct amount of tax due.

(b) *Filing date; term of license.* Each person subject to a license tax shall apply for a license prior to beginning business if he or she was not subject to licensure in the town on or before January 1 of the license year, or no later than ~~March~~ May 1 of

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the current license year if he or she had been issued a license for the preceding license year. The term of the license shall begin January 1 and end December 31 of each year.

- (c) *Due date of tax.* The tax shall be paid with the application in the case of any license not based on gross receipts. If the tax is measured by the gross receipts of the business, the tax shall be paid on or before ~~March~~ May 1.
- (d) *Extensions for filing application.* The assessing official may grant an extension of time, not to exceed 90 days, in which to file an application for a license, for reasonable cause. The extension shall be conditioned upon the timely payment of a reasonable estimate of the appropriate tax; the tax is then subject to adjustment to the correct tax at the end of the extension, together with interest from the due date until the date paid and, if the estimate submitted with the extension is found to be unreasonable under the circumstances, a penalty of ten percent of the portion paid after the due date.
- (e) *Penalties.* A penalty of ten percent of the tax may be imposed upon the failure to file an application or the failure to pay the tax by the appropriate due date. Only the late filing penalty shall be imposed by the assessing official if both the application and payment are late; however, both penalties may be assessed if the assessing official determines that the taxpayer has a history of noncompliance. In the case of an assessment of additional tax made by the assessing official, if the application and, if applicable, the return were made in good faith and the understatement of the tax was not due to any fraud, reckless or intentional disregard of the law by the taxpayer, there shall be no late payment penalty assessed with the additional tax. If any assessment of tax by the assessing official is not paid within 30 days, the treasurer or other collecting official may impose a ten percent late payment penalty. The penalties shall not be imposed, or if imposed, shall be abated by the official who assessed them, if the failure to file or pay was not the fault of the taxpayer. In order to demonstrate lack of fault, the taxpayer must show that he or she acted responsibly and that the failure was due to events beyond his or her control.
 - (1) The term "acted responsibly" means that:
 - a. The taxpayer exercised the level of reasonable care that a prudent person would exercise under the circumstances in determining the filing obligations for the business; and
 - b. The taxpayer undertook significant steps to avoid or mitigate the failure, such as requesting appropriate extensions, where applicable, attempting to prevent a foreseeable impediment, acting to remove an impediment once it occurred, and promptly rectifying a failure once the impediment was removed or the failure discovered.
 - (2) The term "events beyond the taxpayer's control" includes, but is not limited to, the unavailability of records due to fire or other casualty; the unavoidable absence (e.g., due to death or serious illness) of the person with the sole responsibility for tax compliance; or the taxpayers reasonable reliance in good faith upon erroneous written information from the assessing official, who was aware of the relevant facts relating to the taxpayer's business when he or she provided the erroneous information.
- (f) *Interest.* Interest shall be charged on the late payment of the tax from the due date until the date paid without regard to fault or other reason for the late payment. Whenever an assessment of additional or omitted tax by the assessing official is found to be erroneous, all interest and any penalties charged and collected on the amount of the assessment found to be erroneous shall be refunded, together with interest on the refund from the date of payment or the due date, whichever is later. Interest shall be paid on the refund of any tax paid under this article from the date of payment or due date, whichever is later, whether attributable to an amended return or other reason. Interest on any refund shall be paid at the same rate charged under Code of Virginia, § 58.1-3916. No interest shall accrue on an adjustment of estimated tax liability to actual liability at the conclusion of a base year. No interest shall be paid on a refund or charged on a late payment, provided that the refund or the late payment is made not more than 30 days from the date of the payment that created the refund, or the due date of the tax, whichever is later.
- (g) *Willful acts.*
 - (1) *Willful failure to file and obtain license.* Any such person who shall willfully fail or refuse to file a license application and obtain a license when due shall be guilty of a class 3 misdemeanor. Failure to file an application and obtain a license within 15 days after service upon such person of a written notice of the requirement to file an application and obtain such license shall constitute willful failure or refusal to so file and obtain such license.
 - (2) *Willful failure or refusal to supply information; supplying false information.* Any such person who shall willfully fail or refuse to supply, when requested any information necessary to the town in order to properly assess or calculate the taxes due under the provisions of any section of this chapter or chapter 70 of this Code, or who shall make false statements with the intent to defraud in an application filed or otherwise, supply false information with such intent shall be guilty of a class 3 misdemeanor. Failure by such person to provide information necessary to the town to calculate the amount of tax due within 15 days after service upon such person, of a written notice of the requirement to do so shall constitute willful failure or refusal to do so.
 - (3) *Willful violation of regulations.* Any such person who shall willfully violate any regulation promulgated by the assessing official pursuant to authority conferred by this article shall be guilty of a class 3 misdemeanor. Failure by such person to cease and desist from such violation within 15 days after service upon such person of a written notice of the violation and the action required to comply with such regulation shall constitute willful failure or refusal to do so.

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- (4) *Violation of this subsection (g) does not excuse tax.* A conviction for a violation under this subsection (g) shall not in any case relieve any such taxpayer from the payment of the tax prescribed or of the monetary penalties imposed for failure to pay such tax.
- 2. This Ordinance shall become effective immediately upon passage by the Council of the Town of Altavista.

9. Committees

a. Council Committees

i. Finance Committee

Budget Amendments-Year End

Mrs. Shelton advised over the past several years, Council has been asked to amend budgeted amounts for certain line items that fall outside a variance window. These line items are either 10% more or 10% less than the budget states. This process helps in the analytical review, which is the comparison of budget to actual that takes place during the annual audit. This process also brings accounts that do not fall within the “tolerance” window into line with actual balances on the books. This process is not a “true up” of the entire budget; this is handled during the annual audit. She stated the information provided to each Council member contained a detailed listing of requested adjustments for each account that falls outside the 10% threshold as well as an overall explanation of the request. She stated the request is to increase revenues in the amount of \$192,770 and to decrease funding for expenditures by \$279,510. Mrs. Shelton noted there are a few items that were included in FY2012’s budget that were not completed due to various circumstances. Funding for the following items will be carried over to FY2013; expenses relating to improvements to the Bedford Avenue Park such as the extension wall, mulching, expenses relating to the work performed by Dr. Sowers and Dr. Licht regarding the PCB issue, roof replacement at the WWTP on several buildings, and paving for Amherst Avenue. She also noted she would be taking budget amendments for the carry over to the Finance Committee at the August meeting. Funds to be utilized for the carry-overs will come from the extra reserve. She asked Council for consideration of the year-end budget amendments based on activity during FY2012 and requested approval to make these changes to the FY 2012 budget.

A motion was made by Mr. Mattox, seconded Mr. Coleman, to approve the year-end FY2012 budget amendments as presented.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

ii. Police Committee

No report.

iii. Public Works Committee

Bedford Avenue Streetlights

Mr. Ferguson advised over the past several years, Council has discussed the possibility of installing streetlights along Bedford Avenue between Beverly Heights and River Road. Dominion Power installed poles in this area as part of a project that connected the Holly Hills subdivision to power from the Bedford Avenue direction. In previous efforts, staff worked with Region 2000 in regard to the possibility of being included in a pilot project for “smart lights”, but our location was not chosen. There are four poles in this area, with approximately 250 feet between each pole. The last figures from Dominion indicate that the cost for streetlight installation would be a one-time cost of \$7,000, due to the need to install a transformer, and a monthly fee of approximately \$12.00 per light. The lights would be 14,000 lumen sodium vapor lights. He stated the Public Works Committee recommends that this project be approved.

A motion was made by Mr. Ferguson, seconded by Mrs. Dalton, to move forward with the installation of the streetlights.

Mr. Higginbotham questioned if solar lights had been researched stating this would be an ideal situation to clean up the carbon footprints and stay green.

Mrs. Dalton withdrew her second and Mr. Ferguson withdrew his motion.

It was consensus of Council to have staff investigate the cost to use solar lights on Bedford Avenue.

Mr. Ferguson advised the Committee was updated on the following items but no action is being requested at this time:

Paving on Amherst Avenue – Should occur later in the year in an effort to give the utility trenches time to settle.

VDOT Annual Road Inspection-- VDOT performed the annual road inspection in June, the results will be forthcoming. The inspector was very complimentary of the Town and the manner in which we maintain the streets.

Mr. Mattox asked if a new inspection report on the Business 29 Bridge into Pittsylvania County had been received.

iv. Utilities Committee

No report.

v. PCB Remediation Alternatives Committee

Mr. Higginbotham presented Council with a power point presentation on the PCB Remediation project. He mentioned the Committee has been working with Mr. Kevin Crider, Virginia DEQ-Blue Ridge Regional Office Lynchburg at the Town’s WWTP to discuss options for sludge composting under a permit modification. This would be an alternative to the current method of trucking sludge to landfill. He mentioned the walk plank had been installed and barrels placed to use as caissons for study. He noted two technologies have been combined; one barrel has Sedmite™ plus Dr Licht’s two willows and two poplar trees are planted for roots to work thru sludge. Mr. Higginbotham

mentioned some alternatives that are being looked at: AMTS (Activated Magnesium Treatment System) (On Hold), In Pile Thermal Desorption, Ex-situ thermal treatment (On Going) BMR (Bio Marine Remediation) (On Going), and Mirimichi Green (Biochar and Microbes). Mr. Higginbotham explained the various methods. He stated the PCB Committee will continue to gather information on: (External) Ex-situ thermal treatment (\$3.5? million plus), In Pile Thermal Desorption from TERRA-THERM (\$6-8 million), (excludes berm construction, 100x200, pumping and dewatering) BRM filtration (ongoing) He noted the need to move forward on shaping drainage away from lagoon and that more information was needed on permit modification to compost sludge. He also mentioned the need to stockpile chips, leaves, sandy loam dirt, and red clay.

A motion was made by Mr. Coleman, seconded by Mrs. Dalton, to move forward with the shaping of drainage at the lagoon.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

Mr. Edwards asked Mr. Coggsdale to read into the minutes a letter received from the Department of Environmental Health:



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Douglas W. Domenech.

Secretary of Natural Resources

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

TDD (804) 6984021

www.deq.virginia.gov

David K. Paylor

Director

(804)698-4000

1-800-592-5482

Waverly Coggsdale, Town Manager
Altavista Town Hall
510 Seventh Street
PO Box 420
Altavista, Virginia 24517

Dear Mr. Coggsdale

The purpose of this letter is to bring to your attention the Department of Environmental Quality's (DEQ) concern with ongoing activities at the wastewater treatment plant emergency overflow pond (pond). The Town of Altavista (Town) sought eligibility for the pond and was accepted into the DEQ Voluntary Remediation Program (VRP) in December 2002. In June 2006, due to the nature of the materials being addressed, the Town sought and received a waiver from the United States Environmental Protection Agency (EPA) to address the PCBs in the pond through the VRP rather than under the authorities of the Toxic Substances Control Act (TSCA). In the ensuing six years, DEQ has worked patiently with the Town as it discussed and evaluated options to obtain remedy completion.

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Most recently the Town has begun conducting pilot studies of phyto-remediation (Phyto) technology as a remedy to address PCB contamination. While this technology has proven successful in certain applications, such as addressing heavy metal contamination, less is known on its ability to provide for the timely remediation of PCBs. It is our position that Phyto will not result in reasonable progress being made towards the completion of the VRP process.

Going forward, the Department has several concerns as outlined below:

No reasonable timetable/schedule is proposed to achieve the desired endpoint of remediation.

- Success is not clearly defined. In other words, clearly defined risk based endpoints are not proposed.
- A lack of good faith efforts to demonstrate both short term and long term progress towards remediation goals.
- Threats to groundwater and the Roanoke River will continue to exist and may be exacerbated should the technology result in a breach in the lagoon liner from a decaying root system. A

breach of the lagoon wall or uncontrolled overflows from a significant rain event may lead to the release of PCBs into surface waters. This site is a contributor to the PCB loading in sediment and is subject to the Department's PCB Total Daily Maximum Load (TMDL) for long term source reductions. The proposed approach may not meet the TMDL reductions called for in the Roanoke River PCB TMDL (2009). DEQ views the proposed application of Phyto as research, whereas the purpose of VRP is to voluntarily address sites using accepted techniques which will result in a predictable end point.

By DEQ's acceptance of this project into the VRP, the Department acknowledges that "clean up is not mandated under any current legal authority." However, we have neither the resources nor the expertise to evaluate and/or comment on this type of project. VRP staff remains willing to discuss traditional approaches with defined human health and ecological risk based endpoints.

Please feel free to contact me at 804-698-4192.

Sincerely,

Durwood H. Willis
Director, Office of Remediation Programs

cc: Abraham Ferdas, EPA Region III
Robert Weld, DEQ/BRRO

Mr. Edwards stated they now have a letter from DEQ that says there is no current legal authority to require legal authority and also a letter dated 2006 from EPA that states something similar. He felt the point is there is time; there is every reason to believe the experiences underway will yield some promising results in eight to twelve months.

Mr. Mattox stated it is the goal of Council to stay in the VRP and for the remediation of the PCBs.

Mr. Higginbotham drafted a letter to Mr. Durwood Willis, DEQ, and asked for Council's approval to send the letter out. Council was in agreement to forward the letter to Mr. Willis.

vi. ACTS Advisory Committee

No report.

- b. Other
 - i. Board of Zoning Appeals

Mr. Wilson Dickerson, Chairman, provided a written BZA report for Council’s review.

10. New Business

- a. FY2013 Funding Request-Altavista EMS

Mrs. Shelton advised last month the Town received correspondence from the Altavista EMS requesting the approved FY2012 funding that was included in the budget. With the receipt of their audit, the funding was forwarded to them. Altavista EMS was advised in a letter if they would like to be considered for funding during FY2013 they should complete the necessary forms and appear at the July 10, 2012 Council meeting. Mrs. Shelton asked Mr. Mark Moss, Executive Vice President of the Altavista EMS, to come forward.

Mr. Mark Moss came forward and addressed Council. He advised he is awaiting audit paperwork before submitted their request of the \$1,000. Mr. Moss reported to Council the activities of the Altavista EMS. He noted they answer approximately 2,500 to 3,000 calls per year.

Mr. Mattox thanked the Altavista EMS for their good work.

A motion was made by Mr. Mattox, seconded by Mr. Edwards to appropriate \$1,000 to the Altavista EMS, subject to staff receiving the proper paperwork.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

11. Unfinished Business

- a. VDOT “No Through Truck Route”-Bedford Avenue (Route 43)

Mr. Coggsdale advised at last month’s Council meeting, Council was briefed by Jerry Harter, VDOT Traffic Engineer, regarding the process of requesting a “No Through Truck” route on VDOT maintained streets in the Town limits. At that time, Council decided it would consider the information presented and determine what course of action was needed. He stated staff is seeking direction in regard to this item.

Mr. Mattox felt additional information should be gathered.

Mr. Ferguson asked if there was a problem.

Mr. Coleman thought an informed study should be conducted.

Mr. Edwards stated he did not see a problem.

Mr. Ferguson responded there may not be one and the traffic study would tell Council that.

Mrs. Dalton stated she could go with the traffic study but her instincts tell her this would complicate delivery services for industries and businesses.

Mr. Higginbotham stated he didn't see a problem on Bedford Avenue and did not feel the study was necessary.

Mr. Edwards asked what the need was for the study.

Mr. Ferguson replied there is a school on Bedford Avenue.

A motion was made by Mr. Higginbotham, seconded by Mr. Edwards, to not proceed with the VDOT study on Bedford Avenue at this time.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	No
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	No

Mr. Coggsdale mentioned with the postponement of the public hearing on Prohibited Trucks on Lynch Mill Road, staff would like direction on where to go next. He noted the Town attorney has some other amendments that may address Council's concerns.

Mr. Mattox requested time to review this documentation before a decision is made.

b. Altavista Armory Reuse

Mr. Coggsdale gave an update of the chronological sequence of events that have occurred over the past 18 months in regard to Altavista Armory and potential reuse of the facility.

December 2010 Town Council directed staff to develop RFP for "Facility Condition Assessment

January 2010 – Draft RFP document reviewed by Council, RFP issued.

February 2010 – Proposals received and reviewed by a committee.

March 2010 – Council votes to delay the RFP process and seek "free pre-assessment".

June 2010 – Council presented with power point and information (pre-assessment)

No action taken on the Armory issue.

Council asks the Altavista Economic Development Authority to seek interest from individuals for reuse of the facility, primarily as an "assisted housing facility".

AEDA issues Request for Information and no responses are received.

Mr. Coggsdale stated at the present time, the Town is mowing the grounds other than that no efforts are being made towards the armory. He stated staff is seeking direction in regards to this item.

Mr. Mattox questioned the cost to the town.

Mr. Coggsdale answered it was minimal.

Mrs. Dalton suggested leaving the building as is and wait until some opportunity for use presents itself. She noted the reason for accepting the building was to have control of it.

Mr. Mattox questioned the risk of the building falling under the property maintenance code.

Mr. Witt stated although it is a government building, it would fall under the same guidelines as a residential home if necessary.

Mr. Coleman asked what would prevent the Town from putting the building up for sale.

Mr. Coggsdale stated under the contract, if the building is sold, the money goes to the County.

It was the decision of Council to wait on determining the use/sale of the armory.

c. Peer/Service Analysis

Mr. Coggsdale advised at last month's Town Council meeting, Mr. Edwards proposed the evaluation of the Town's operations to a peer group of similar localities. It was suggested that an individual, outside of the town organization, could possibly assist with the process; Mr. Edwards suggested former Town Finance Director/Treasurer Morgan Allen. He stated staff would suggest that Council and staff have a work session to focus on the process and the parameters of the analysis along with a discussion about the peer group and what needs to be measured and compared.

Mayor Burgess asked what the advantage would be of this study. He stated there are not many Towns that offer what Altavista does.

Mr. Edwards stated this study would be advantageous to the new Economic Development Director to present to prospects. He stated he would like to know how the tax rate compares with eight or ten other communities and a comparison on the cost to produce water.

Mrs. Dalton questioned what the objective was for conducting this survey.

Mr. Edwards stated if the Town is indeed superior, it needs to be expressed in hard numbers. Mr. Edwards suggested he and Mr. Allen would get together and create framework for the process before a work session is scheduled.

12. Town Manager's Report

a) Project Updates

VDOT Enhancement Project and Downtown Utility Replacement Project

- Work Session with Council was held on Tuesday, June 12th.
- Staff continues to work with the engineers (Wiley Wilson) and VDOT to prepare for a September bid date.

Pittsylvania Avenue Intersection Improvements

- Received agreement from VDOT making this a "locally administered project"
- Wiley Wilson has begun the coordination of the design with the Town's Infrastructure and Streetscape Project design.
- Continuing to work with Wiley Wilson and VDOT in moving the project toward a bid date (estimated Fall 2012)
- Federal Authorization received. VDOT is working on the Right of Way Acquisition Phase.
- VDOT is negotiating with property owners for right of way.

WWTP Emergency Overflow Pond

- Dr. Licht has implemented his Pilot Field Study for Phytoremediation.
- Dr. Sower's has implemented his Pilot Field Study for Bioremediation.
- Mirimichi will be performing an off-site "bench scale study" of the sludge for confirmation regarding their remediation process.

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- Letter received from DEQ citing their concerns about the Town’s EOP and our participation in the VRP.

Bedford Avenue Park Improvements

- Playground equipment is installed and open to public.
- East end wall installation scheduled for final week in July.
- Final site work being completed by Town staff.

Public Works Office Project

- The renovations at the Public Works facility are complete.
- The two offices have been occupied and the break room is available for use by the employees.

Mayor Burgess commended the Town staff and all the organizations (Fire, EMS, and Police) for their cleanup efforts during the recent storm.

Mr. Coggsdale also extended his appreciation for the quick reaction of everyone during the storm.

13. Matters from Town Council Members

Closed Session

I move that the Altavista Town Council convene in closed session in accordance with the provisions set out in the *Code of Virginia*, 1950, as amended,

Section 2.2-3711 (A)(1) regarding discussion of the annual performance evaluation of the Town Manager, discussion, consideration, or interviews of prospective candidates for appointment to the Planning Commission and Board of Zoning Appeals, discussion, consideration or interviews of prospective candidates for employment for public officers, appointees or employees of any public body.

Section 2.2-3711 (A)(5) regarding discussion concerning a prospective business or industry or the expansion of an existing industry where no previous announcement has been made of the business’ or industry’s interest in locating or expanding its facilities in the community.

A motion was made by Mrs. Dalton, and seconded by Mr. Edwards.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

Council went into closed session at 8:34 P.M.
Notice was given that council was back in regular session 9:26 P.M.

FOLLOWING CLOSED SESSION:

A motion was made by Mr. Ferguson, seconded by Mr. Mattox to adopt the certification of a closed meeting.

CERTIFICATION OF CLOSED MEETING

WHEREAS, the town council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the town council that such closed meeting was conducted in conformity with Virginia law;

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NOW, THEREFORE, BE IT RESOLVED that the town council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the town council.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes

Mayor Burgess asked if there was anything else to bring before Council.

The meeting was adjourned at 9:27 p.m.

J.R. Burgess, Mayor

J. Waverly Coggsdale, III, Clerk